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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/644,198	08/22/2000	Tamotsu Ito	16869P-011900US	1115

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EXAMINER	
BROWN, RUEBEN M	
ART UNIT	**PAPER NUMBER**
2424	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/644,198	ITO ET AL.	
	Examiner	Art Unit	
	REUBEN M. BROWN	2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 January 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 35-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 35-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/5/2010 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1 & 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, (U.S. Pat # 6,483,983), in view of Duhault, (U.S. Pat # 6,456,334) and Mattaway, (U.S. Pat # US PGPUB # 2004/0172588).

Considering amended claims 1 & 36, Takahashi teaches an apparatus (Fig. 1) that enables a user to access a plurality of programs. The amended claimed features of the content including a plurality of titles that includes a plurality of chapters, each chapter including a plurality of frames, the titles and chapters include moving pictures, is met by the disclosure of Takahashi (Fig. 3; col. 5, lines 21-40; col. 6, lines 20-40; col. 9, lines 31-40).

'reproducing module', is met by Takahashi display unit 6 (Fig. 1).

'driver module configured to access the content and having a driver output to produce an information signal for the accessed content' and *'a decoder module operatively coupled to the driver module to receive information signal'*, reads on the driver unit 1 and decoder unit 3, Takahashi (Fig. 1; col. 3, lines 62-67 thru col. 4, lines 1-37).

'user input module configured to receive user input with at least a select button and/or cursor button', reads on the user interface 11, Takahashi col. 4, lines 56-67.

Regarding the amended claimed, *'system control module configured to control, the driver and decoder modules to produce as first display for a plurality of titles, each titles being represented by single frames in the first display signal, at least the single frames for the plurality of programs are configured to be displayed on a display module as a title selection screen'*, Takahashi shows in Fig. 3 that a plurality of titles are available for selection by the user (as tag 18). The claimed title selection screen, is broad enough to read on the titles (1-3) being displayed on Fig. 3.

As for the additionally claimed feature, *'wherein the single frames are selected from any part of the moving picture'*, Takahashi only shows a tab with a number representing the title. Nevertheless Duhault, which is in the same field of endeavor, (i.e., enabling a user to interactively select an item from among a plurality of items), teaches that a plurality of programs may be displayed on the screen as thumbnails, Fig. 1 & Fig. 2. In particular, in a Browser screen, of Fig. 1 images 141-149 and in Fig. 2, images 242-245, represent programs (i.e., titles) that may be selected. Each program is identified by its visual representation which is an image from the broadcast, and thus reads on the claimed subject matter. Duhault goes onto teach that the visual representation would be periodically updated, col. 3, lines 10-53. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Takahashi with the feature of utilizing an image to represent a title or file name, for the advantage of allowing the user to visually confirm or identify the content of the file/program, as shown by Duhault (Figs. 1& 2).

As for the further claimed feature, *'wherein the single frames, selected or unselected, are configured to be displayed in an overlapping manner'*; Fig. 2 of Duhault is an alternative of Fig. 1, which shows an image 241 that has already been selected and is displayed as a full-screen image, whereas thumbnails 242-245 are shown as overlapping images in the lower right corner of image 241. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Takahashi, with the feature of overlapping windows, as shown by Duhault (col. 1, lines 20-45), at least for the desirable benefit of conserving space on the user's screen and allowing the user to more easily focus on the content within the active window.

'wherein the system control module, in response to receiving a user-specified title selection from the select button is configured to control the decoder module to produce a second display signal from the plurality of chapters, each of the chapters being represented by a single frame in the second display signal, at least the single frames for the plurality of chapters are configured to be displayed on a display module as a chapter selection screen', also is broad enough to read on the disclosure of Takahashi, (Fig. 3; col. 5, lines 21-49). Takahashi teaches that the chapters are represented by the still images (frames) shown in boxes 19a-19i.

'wherein the system control module, in response to receiving a user specified title selection from the cursor button, is configured to control the decoder module to play back automatically user-specified title as a small frame if there is no button input for a select period of time', Takahashi, (col. 7, lines 65-67 thru col. 8, lines 1-2; col. 11, lines 25-67; col. 12, lines 32-63), discloses that after a user selects a chapter with the cursor button 27, that the associated

moving picture may be displayed for a duration of time, col. 7, lines 25-37. Furthermore Duhault teaches that in Fig. 2, the video program from image 245 may played in the thumbnail area as full-motion video (col. 4, lines 62-67), which reads on the claimed *'playback...as a small frame'*.

However, the references do not explicitly discuss a delay time when waiting for another user input before starting playback of the moving picture in the small frame. Nevertheless, Mattaway which is also in the same field of endeavor of interactive selection, teaches a system that allows a user to make a selection of an object by merely hovering the cursor of the mouse over the instant object for a predetermined time, Para [0114-0115]. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify the combination of Takahashi & Duhault with the feature of selecting an object on a screen by allowing the user to hover the mouse cursor over the object, instead of having to click the instant desired object, as taught by Mattaway [0114] which at least reduces the amount of clicking required by user of the system and obviates at least one step in the selection process.

As for the further claimed feature, '*wherein the automatic playback start position of the user-specified title is part of the moving picture indicated by the single frame'*, Takahashi teaches that moving pictures is played from the start picture of the chapter, col. 6, lines 34-51; col. 7, lines 25-50.

As for the newly added feature, *'wherein the size of the selected small frame of the user selected title becomes larger than those of the unselected small frames'*, is met by the teaching in

Takahashi (col. 7, lines 16-24) and Duhault (col. 5, lines 51-59; Fig. 2) that the video from the selected thumbnail may be shown as a full screen video, which is clearly larger than the unselected small frames.

As for the further amended claimed feature, that *'the system stops playback of the title after the playback ends'*, Duhault teaches various modes, in particular, the system may operate by displaying a selected image as full-motion video for a predetermined time, after which the instant selected image may be periodically refreshed or not refreshed at all, see col. 5, lines 1-52.

Regarding claim 36, the claimed elements of an apparatus for accessing content on a storage medium that correspond with subject matter mentioned above in the rejection of claim 1, is likewise treated. Furthermore, claim 36 recites *'program'*, which corresponds with the claimed *'title'* of claim 1. Also claim 36 recites, *'plurality of scenes'*, which likewise corresponds with claimed chapters of claim 1.

Considering claims 35 & 37, Official Notice is taken that at the time the invention was made, 'skipping' and 'fast forward playback', similar to a VCR, was old in the art. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Takahashi/Duhault with the feature of fast forward or skipping, at least for benefit of allowing the user to go to the section of the movie that he/she most desires to view, at a particular time.

Considering claim 38, the claimed feature of *'reproduce the plurality of chapters, each of the chapters represented by a single frame and wherein at least the single frames for the plurality of chapters are configured to displayed on the display module as a chapter selection screen'*, is met by Fig. 3 of Takahashi, col. 5, lines 21-48.

Considering claim 39, the claimed feature of *'reproduce the plurality of scenes, each of the scenes being represented by a single frame and wherein at least the single frames for the plurality of scenes are configured to displayed on the display module as a scene selection screen',* is met by Fig. 8 of Takahashi, col. 13, lines 58-67 thru col. 14, lines 1-15. The claimed *'scene'* corresponds with the subprogram of Takahashi.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Frank, Gough, Gelsinger, Nakazawa Provide generic teachings on the benefits, purposes of overlapping windows.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
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or faxed to:
(571) 273-8300, (for formal communications intended for entry)
Or:
(571) 273-7290 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Reuben M. Brown/
Examiner, Art Unit 2424